

Your Name: Melvin K. Jones  
 Address: 547 Laki Place Manteca, Ca. 95336  
 Phone Number: 209-969-0291  
 Fax Number: N/A  
 E-mail Address: booki200401@yahoo.com  
 Pro Se Plaintiff

**FILED**NOV 30 2020 *dy*
 SUSAN Y. SOONG  
 CLERK, U.S. DISTRICT COURT  
 NORTH DISTRICT OF CALIFORNIA  
 OAKLAND OFFICE

 UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA
**C20-08467 JCS**

Melvin K. Jones

Case Number [leave blank]

Plaintiff,

**COMPLAINT**

vs.

BergElectric Inc. &amp; American Builders

## DEMAND FOR JURY TRIAL

and Contractors Apprenticeship

Yes ☒ No ☐

Defendant.

**PARTIES**

1. Plaintiff. *[Write your name, address, and phone number. Add a page for additional plaintiffs.]*

Name: Melvin K. Jones  
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 Telephone: 209-969-0291

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2. Defendants. *[Write each defendant's full name, address, and phone number.]*

Defendant 1:

Name: BergElectric Inc.

Address: \_\_\_\_\_

Telephone: 11333 Sunrise Park Dr. Rancho Cordova, Ca. 95742

Defendant 2:

Name: American Builders and Contractors ApprenticeshipAddress: 4577 Las Positas Ave. Livermore, Ca. 94551Telephone: 925-474-1300

Defendant 3:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**JURISDICTION***[Usually only two types of cases can be filed in federal court, cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.]*

## 3. My case belongs in federal court

☒ under federal question jurisdiction because it involves a federal law or right.*[Which federal law or right is involved?]* Title VII☐ under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants and the amount of damages is more than \$75,000.

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**VENUE**

[The counties in this District are: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, or Sonoma. If one of the venue options below applies to your case, this District Court is the correct place to file your lawsuit. Check the box for each venue option that applies.]

4. Venue is appropriate in this Court because:

- ☒ a substantial part of the events I am suing about happened in this district.
- ☐ a substantial part of the property I am suing about is located in this district.
- ☐ I am suing the U.S. government, federal agency, or federal official in his or her official capacity and I live in this district.
- ☐ at least one defendant is located in this District and any other defendants are located in California.

**INTRADISTRICT ASSIGNMENT**

[This District has three divisions: (1) San Francisco/Oakland (2) San Jose; and (3) Eureka. First write in the county in which the events you are suing about happened, and then match it to the correct division. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge.]

5. Because this lawsuit arose in Amador County, it should be assigned to the Northern California Division of this Court.

**STATEMENT OF FACTS**

[Write a short and simple description of the facts of your case. Include basic details such as where the events happened, when things happened and who was involved. Put each fact into a separate, numbered paragraph, starting with paragraph number 6. Use more pages as needed.]

I was hired as a electrical apprentice after working as a electronics technician with the federal government for close to 30 years, and as a Air Force aircraft mechanic for 5 years. Shortly after being hired by BergElectric I was removed from my electrical training and was assigned manual labor, cleaning bathrooms, delivering water and ice to younger apprentice with less time in the program etc. I began to being accused of damaging

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1 \_\_\_\_\_ equipment and being drug tested twice in 1 week. I attempted to quit on one  
2 occasion was called by the H/R Manager to talk to him. Upon doing so I was reassigned  
3 to another jobsite where the abuse continued. Until I drove from my residence to the  
4 jobsite At the Sacramento Airport, when after the morning after the morning meeting that  
5 there was no longer any work for me there. H/R Manager Mike Herzog then assigned me to  
6 \_\_\_\_\_ a job at Lemoore Naval Air Station with the assurance that I would be paid per  
7 diem. which was never paid. These are just ma few of the things that I would like to bring  
8 light to in your court.

9  
10 I found out through the E.E.O.C. investigation that the American Builders and Contractors  
11 \_\_\_\_\_ Director Sagit Woodbury made false libelous and defamatory statements  
12 of a conversation that the 2 of us had and placed those fictitious statements into my  
13 personnel file without my knowlewdge which has cause me harm in the way of  
14 employment.

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**CLAIMS****First Claim**

(Name the law or right violated: Title VII)

(Name the defendants who violated it: BergElectric Inc. and American Builders and Contractor,)

[Explain briefly here what the law is, what each defendant did to violate it, and how you were harmed. You do not need to make legal arguments. You can refer back to your statement of facts.]

BergElectric hired me as an Apprentice Electrician and refused to provide proper training and instruction.

American Builders and Contractors made defamatory statements and placed them in my personnel file in a nefarious manner which damaged my ability to become employed.

//

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**Claim**

(Name the law or right violated: \_\_\_\_\_)

(Name the defendants who violated it: \_\_\_\_\_)

\_\_\_\_\_. \_\_\_\_\_

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**COMPLAINT****PAGE 6 OF 8** [JDC TEMPLATE - 05/17]

**DEMAND FOR RELIEF**

[State what you want the Court to do. Depending on your claims, you may ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount, or describe the different kinds of harm caused by the defendant.]

I ask the court to make me whole in the manner of loss wages, loss to my 401k, Loss of health care to a sum of \$678,473.58. And ask to be rehired for no less than 30 months to be properly trained to become the effecient electrician I am meant to be.

**DEMAND FOR JURY TRIAL**

[Check this box if you want your case to be decided by a jury, instead of a judge, if allowed.]

☒ Plaintiff demands a jury trial on all issues.

Respectfully submitted,

Date: 11/09/2020

Sign Name:

Print Name:

Melvin K. Jones

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*[Copy this page and insert it where you need additional space.]*

\_\_\_\_.

\_\_\_\_.

\_\_\_\_.

\_\_\_\_.

\_\_\_\_.

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PAGE 8 OF 8 [JDC TEMPLATE - 05/17]



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Melvin K. Jones**  
**547 Laki Pl**  
**Manteca, CA 95336**

From: **Oakland Local Office**  
**1301 Clay Street**  
**Ste. 680-North**  
**Oakland, CA 94612**

☐

On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**555-2016-00851**

**Steven T. Hunt,**  
**Director**

**(510) 956-0012****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**
☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission  
 Digitally signed by Steven Hunt  
 DN: cn=Steven Hunt, o=U.S. Equal Employment Opportunity  
 Commission, ou, email=steven.hunt@eeoc.gov, c=US  
 Date: 2020.08.13 17:14:30 -0700

**Steven Hunt****08/14/2020**

Enclosures(s)

**Steven T. Hunt,**  
**Director**

(Date Mailed)

cc:

**Kristyn Lyon**  
**Human Resources Generalist**  
**BERGELECTRIC**  
**650 Oppen Street**  
**Escondido, CA 92029**

**Eva Gramyk, Esq.**  
**WOLFLICK, SIMPSON, KHACHATURIAN &**  
**BOUAYAD, APC**  
**130 North Brand Blvd., Ste. 410**  
**Glendale, CA 91203**

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